

## **REMARKS**

The Examiner is thanked for his thorough examination of this application, and the helpful comments made in the Office Action, including the indication that claims 4 and 19 contain allowable subject matter.

### **Office Action paragraph 1**

Paragraph 1 of the Office Action noted discrepancies between the numbering in FIG. 7 and on page 20 of the specification. The undersigned has amended FIG. 7 (to change the second occurrence of “404” to “405.” A corresponding amendment has been made to the specification. In view of these amendments, the issues of paragraph 1 have been addressed.

### **Office Action paragraph 2**

Paragraph 2 of the Office Action objected to Applicants’ failure to use the term “firmware” in the specification, alleging that the term in claim 17 was not supported, unless this precise term was also used in the specification. Applicants disagree, as 35 U.S.C. §112, first paragraph (or any of the patent rules), does not require such a narrow interpretation. Instead, the specification is to be construed in accordance with the perspective of one having ordinary skill in the art. In this regard, the first paragraph on page 20 stated that various functional blocks could be implemented in “hardware, software, or a combination of the two, including micro-coded hardware.” A persons skilled in the art would certainly understand “firmware” to be micro-coded hardware. Nevertheless, and in order to advance the prosecution of this application, the undersigned has amended this portion of the specification to clarify that “micro-coded hardware”

includes firmware. This amendment adds no new matter to the specification, and clearly supports the claim language of claim 17.

### **Office Action paragraph 3**

Paragraph 3 of the Office Action made a tedious rejection to various dependent claims, objecting to language that the Office Action considered indefinite. Again, the specification and claims must be properly construed in accordance with the perspective and understanding of a person skilled in the art. The Federal Circuit has repeatedly stated that terms like “approximately” and “substantially” are perfectly acceptable in patent claims (even though Examiners often object to them). Consider the following non-technical example: a person giving driving directions may say “after turning onto XYZ road, drive about 5 miles and turn right on the gravel road, which is next to the large oak tree.” In that description, the terms “about” (describing the distance) and “large” (describing the oak tree) are, in isolation, indefinite terms. However, in the context of the stated directions, those terms would actually be helpful in making the directions more clear (e.g., if the directions merely stated “gravel road, which is next to the oak tree” a driver would not know anything about the oak tree – whether it was large or small).

In the same way, Applicants respectfully submit that the terms and phrases objected to by the Office Action do not render the claims, as a whole, indefinite. Nevertheless, in an effort to advance the prosecution of this application, the undersigned has amended the relevant claims to accommodate the Examiner. In this regard, among other amendments, Applicants amended claim 6 by deleting the phrase that the Examiner alleged rendered the claim indefinite. Deleting

the phrase, actually makes the claim broader than it was previously. Nevertheless, the claim is in condition for allowance, as it depends from an allowable claim.

### **Claims 1-27**

The Office Action indicated that claims 4 and 19 contained allowable subject matter. Accordingly, Applicants have amended independent claims 1 and 18 to incorporate the limitations of claims 4 and 19 (and have correspondingly canceled claims 4 and 19). Dependent claims 5 and 6 have also been amended to change their dependency from claim 4 to claim 1. Accordingly, claims 1-3, 5-18, and 20-27 are now in immediate condition for allowance.

With regard to the equations, the equations include a variable  $u[n]$ , which refers to a signal carried on a disturber line. It should be appreciated that this variable could likewise refer to an aggregate of disturber signals (simply represented with one variable).

### **Claims 28-31**


The rejections of claims 28-31 have been rendered moot by the amendments (made above) to independent claims 28 and 30. In this regard, Applicants have amended independent claims 28 and 30 to specify equations (in the frequency domain) that are performed by the method and processor of those claims. For similar reasons as to why claims 1 and 18 (which specify time-domain equations) are allowable, Applicants submit that independent claims 28 and 30 are allowable (e.g., these claims specify processing equations which are not disclosed in the cited art of record).

## CONCLUSION

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

By:   
Daniel R. McClure  
Registration No. 38,962

**Thomas, Kayden, Horstemeyer & Risley, LLP**  
100 Galleria Pkwy, NW  
Suite 1750  
Atlanta, GA 30339  
770-933-9500

### **In the Drawings**

In FIG. 7, please replace the second occurrence of “404” with “405,” as shown in in he accompanying annotated drawing sheet.

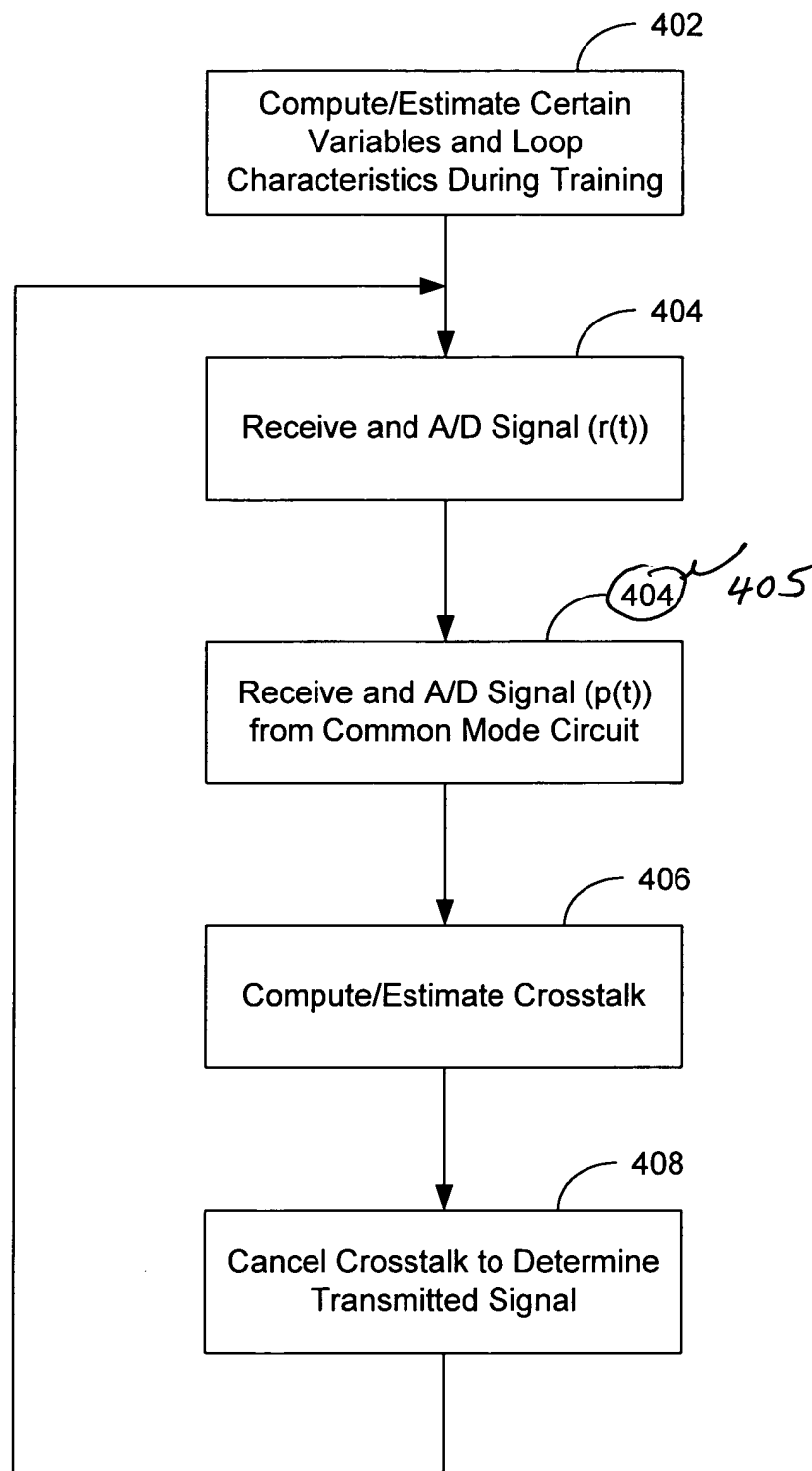
### **Attachments**

Tab A: Annotated drawing sheet

Tab B: Replacement drawing sheet



# Annotated Drawing Sheet



**FIG. 7**